



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,349	01/31/2002	Carl O. Bennett JR.	AUS920010504US1	3452

7590 06/25/2004
Darcell Walker
8107 Carvel Lane
Houston, TX 77036

EXAMINER

LU, KUEN S

ART UNIT	PAPER NUMBER
----------	--------------

2177

DATE MAILED: 06/25/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary

Application No.

10/062,349

Applicant(s)

BENNETT ET AL.

Examiner

Kuen S Lu

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/31/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In this case, the abstract of the disclosure is objected to because the phrase "The method of the present invention" which can be implied and should be avoided.

Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claim 8 is objected to because of the following informalities: there is no delimiter at the end of the limitation "storing the copy of the located display in the display file".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned

at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 6-8, 13 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Montabalno (U.S. Patent 5,918,237) and in view of Kunzinger et al. (U.S. Patent 6,405,222, hereafter "Kunzinger").

As per claims 1 and 13, Montabalno teaches the following:

"placing the address of selected display from the display repository in a bookmark file" at col. 2, lines 47-49 where content page and URL address pair is stored in the bookmark file; and

"determining whether the bookmark file is complete" at col. 2, lines 51-53 where bookmarks stored are displayed after the bookmark window is full.

Montabalno does not specifically teach retrieving displays by using addresses stored in the bookmark file.

However, Kunzinger teaches "retrieving the selected displays using the addresses contained in the bookmark file" at col. 9, lines 16-17 where web pages are retrieved by listed URLs and at col. 10, lines 22-25 where URLs are retrievable from bookmark sets.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Kunzinger' teaching with Montabalno's by utilizing address to retrieve web pages because both references are devoted to applying bookmarks to web pages (Abstracts) and the implementation would have enabled Montanbano system to retrieve web pages by using both addresses and titles such that

a more convenient and simpler way to store, present bookmarks on text and graphical pages.

Montabalno further teaches "loading the retrieved displays into a display file" at Fig. 4, elements 45 and col. 6, lines 42-53 where pages and URLs are loaded into a file.

As per claims 6 and 18, Montabalno teaches "placing the selected display address in bookmark file step further comprises the step of initially creating a bookmark file for the selected display addresses" at Fig. 3a, elements 35 and col. 3, lines 17-25 where bookmark file is created by automatically loading the first HTML file when user request his bookmark.

As per claims 7 and 19, Montabalno teaches "bookmark file completion determination step comprises detecting a close file command" at Figs. 3-4, elements "Close" and 42-45 where a file closure is detected or implicitly implied when the "Close" element is pressed or a program module returns after storing web page address to the bookmark file.

As per claims 8 and 20, Montabalno teaches the following:
"creating a display file" at Fig. 3a, elements 35 and col. 3, lines 17-25 where bookmark file is created by automatically loading the first HTML file when user request his bookmark and the file contains both multimedia data and URL addresses for serving the purposes of a display file; and
"retrieving the designated bookmark file" at Fig. 3a and col. 3, lines 23-26 where user's bookmarks are retrieved.

Montabaldo does not specifically teach retrieving display address information from the designated bookmark file.

However, Kunzinger teaches "retrieving display address information from the designated bookmark file" at col. 9, lines 16-17 where web pages are retrieved by listed URLs and at col. 10, lines 22-25 where URLs are retrievable from bookmark sets.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Kunzinger's teaching with Montabaldo's by utilizing address to retrieve web pages because both references are devoted to applying bookmarks to web pages (Abstracts) and the implementation would have enabled Montabaldo system to retrieve web pages by using both addresses and titles such that a more convenient and simpler way to store, present bookmarks on text and graphical pages.

Montabaldo teaches "locating displays corresponding to the display addresses in the bookmark file" at col. 4, lines 63-65 where URL address is stored as bookmark information;

Montabaldo teaches "retrieving a copy of each located display" at col. 9, lines 16-17 where web pages are retrieved by listed URLs and at col. 10, lines 22-25 where URLs are retrievable from bookmark sets;

Kunzinger further teaches the following:
"storing the copy of the located display in the display file" at col. 9, lines 16-21 where bookmark set is retrieved and kept at the server;

“repeating said display locating, copy retrieving and copy storing steps for each address in the bookmark file” at col. 9, lines 22-40 where bookmark set is retrieved, compressed and sent to the client, and at the client the bookmark set is decompressed and stored; “sending complete display file to local computing device” at col. 9, lines 22-40 where bookmark set is retrieved, compressed and sent to the client, and at the client the bookmark set is decompressed and stored; and “creating display presentation using graphical presentation tools” at col. 9, lines 55-64 where the bookmark set is available for user to browse.

4. Claims 2-5 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Montabalno (U.S. Patent 5,918,237) in view of Kunzinger et al. (U.S. Patent 6,405,222, hereafter “Kunzinger”), as applied to claims 1, 6-8, 13 and 18-20, and further in view of Boesch (U.S. Publication 2003/0018746).

As per claims 2 and 14, the combined Montabalno-Kunzinger reference teaches creating bookmark file for storing and retrieving web pages as previously described for rejecting claims 1 and 13.

The combined reference does not specifically teach “displaying the hierarchical information the display repository on a viewer screen, the hierarchical display containing directories, sub-directories, categories of graphical display sets and display groups within the display sets”.

However, Boesch teaches “displaying the hierarchical information the display repository on a viewer screen, the hierarchical display containing directories, sub-directories, categories of graphical display sets and display groups within the display

sets" at Fig. 2b and Page 3, [0027] where screen shot shows hierarchical display of directories, sub-directories, categories of graphical display sets and display groups within the display sets.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Boesch's reference with Kunzinger and Montabaldo's teachings by using hierarchical structure to store the web pages because they all devoted to a the handling of a plurality of files (Abstracts) and the combination of the references would have enabled users of Montabaldo's system to select and migrate a file system from a source system to the destination system by preserving the file, directories, subdirectories and folders structure (Boesch: Page 1, [0004]).

As per claims 3 and 15, Boesch further teaches the following:

"displaying a set of main folders in the display repository" at Fig. 2b where element 210 is the main folder in a display repository;

"displaying the directory for a selected main folder" at Fig. 2b where main folder Stuff has files File 1 and File 2; and

"displaying a series of sub-directories in response to selections by a user until a desired display group is reached and selected" at Fig. 2b where a series of sub-directories My Files, Stuff and Junque Folder are the series of sub-directories selected by the user to display.

As per claims 4 and 16, Montabaldo teaches "comprising displaying a selected display on a display screen" at Fig. 6, elements 71-74 and col. 7, lines 9-23 where graphical pages are displayed on the screen.

As per claims 5 and 17, Montabarno teaches "retrieving display address information contained in the selected display" at Fig. 1 and col. 3 lines 35-41 and 50-57 where URL addresses are retrieved from display pages.

5. Claims 9-12 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Montabarno (U.S. Patent 5,918,237) in view of Kunzinger et al. (U.S. Patent 6,405,222, hereafter "Kunzinger"), as applied to claims 1 and 13, and further in view of Pal (U.S. Patent 5,963,945).

As per claims 9 and 21, the combined Montabarno-Kunzinger reference teaches display loading as previously described for rejecting claims 8 and 20.

The combined reference does not specifically teach "determining the number of address entries in the bookmark file and initially setting a display counter to zero".

However, Pal teaches maintaining counters to count the number of file entries of a determining the number of address entries in the bookmark file and initially setting a display counter to zero" at Figs. 1B-1F and col. 5, lines 42-44 and col. 6, lines 43-46 where counters for object entries are set to zero and incremented every time an object is sent.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Pal's reference with Kunzinger and Montalbano by counting the entry number when entries of files are retrieved or stored to a bookmark file, or saved to another bookmark file because the references are all devoted to resource allocation and de-allocation (Montalbano: col. 3, lines 17-22, storing bookmarks, Kunzinger: col. 9, lines 22-28, downloading bookmark set to client

system, Pal: col. 3, lines 25-26, allocating resources). Further, implementing of Pal's teaching of pre-fetching to a resource allocation system to Kunzinger-Montalbano combined reference would have been a significant performance improvement Kunzinger and Montalbano's systems because buffering of data which is much faster accessible than disk I/Os.

As per claims 10 and 22, Pal further teaches incrementing counter by one for each object requested received at Fig. 4, elements 402-408 and col. 8, lines 20-24 and "returning to the locating the address for the next display in the bookmark file step, when the determined number addresses in the bookmark file is greater than the current number in the counter" by sending over the counter value and repeating the process at col. 6, lines 61-67.

As per claims 11 and 23, Pal further teaches the following:
incrementing the display counter by one after storing each copy of requested object, comparing the current number in the display counter with the determined number of entries at col. 5, lines 45-65 and col. 6, lines 52-64; and
de-allocating request to a local computing device, when the determined number of entries in the source system is not greater than the current number in the counter at col. 5, lines 45-65 and col. 6, lines 52-64.

As per claims 12 and 24, Kunzinger further teaches "creating presentation step further comprises converting displays in the display from the format of the displays as stored in the repository to a format for display presentation" at col. 9, lines 29-40 by decompressing the bookmark set transferred.

6. Claims 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Kunzinger et al. (U.S. Patent 6,405,222, hereafter "Kunzinger") in view of Boesch (U.S. Publication 2003/0018746).

As per claim 25, Kunzinger teaches the following:

"a local computer machine" at col. 9, lines 22-40 where bookmark set is retrieved, compressed and sent to the client, the local computer machine;

"a computer network for establishing communication between said local computer and said display repository" at Fig. 1, element 46 and col. 9, lines 22-40 where element 46 is the network and when a bookmark set is retrieved, compressed and sent to the client, and at the client the bookmark set is decompressed and stored; and

"a display file generating program for assembling a display file from displays stored in a display file repository" at col. 9, lines 55-64 where the bookmark set is available for user to browse.

Kunzinger does not specifically teach "a display repository housed in a containing graphical displays, aid displays being arranged into sets of displays and stored in said repository in a directory hierarchical tree configuration containing a series of sub-directories that link to the location of a display in said repository".

However, Boesch teaches displaying the hierarchical information the display repository on a viewer screen, the hierarchical display containing directories, sub-directories, categories of graphical display sets and display groups within the display sets at Fig. 2b and Page 3, [0027] where screen shot shows hierarchical display of

directories, sub-directories, categories of graphical display sets and display groups within the display sets.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Boesch's reference with Kunzinger's teaching by using hierarchical structure to store the web pages because they all devoted to a the handling of a plurality of files (Abstracts) and the combination of the references would have enabled users of Kunzinger's system to select and migrate a file system from a source system to the destination system by preserving the file, directories, subdirectories and folders structure (Boesch: Page 1, [0004]).

As per claim 26, Kunzinger teaches "display repository resides in a server machine on said computer network" at col. 9, lines 29-40 by downloading bookmark set to client systems.

As per claim 27, Boesch teaches "a navigator program for maneuvering through the directories and sub-directories of graphical displays in the display repository" at Fig. 2b and Page 3, [0027] where screen shot shows hierarchical display of directories, sub-directories, categories of graphical display sets and display groups within the display sets.

As per claim 28, Boesch teaches "a display presentation program for displaying the graphical displays in the generated display file on said local computer machine" at Fig. 2b and Page 3, [0027] where screen shot shows hierarchical display of directories, sub-directories, categories of graphical display sets and display groups within the display sets.

As per claim 29, Kunzinger teaches "display presentation program further comprises a conversion program for converting displays from a format for storing the displays in the repository on the computing network to a format for displaying such displays on said local computing machine" at col. 9, lines 29-40 by decompressing the bookmark set transferred.

As per claim 30, Kunzinger teaches the following:

"a module for creating a book mark file and storing addresses corresponding to the locations in the repository of the graphical displays in the book mark file" at Fig. 7, element 601 and col. 8, lines 50-52 where a bookmark file is created and Fig. 5, elements 507-515 where URLs are stored into the bookmark set;

"a module for creating a display file for storing copies of displays with corresponding addresses stored in the book mark file" at at col. 9, lines 55-64 where the bookmark set is available for user to browse; and

"a module for transmitting a display file over the computing network to a local computing machine" at at col. 9, lines 22-40 where bookmark set is retrieved, compressed and sent to the client, and at the client the bookmark set is decompressed and stored.

Conclusions

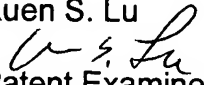
7. The prior art made of record

- | | |
|---------------------|--------------|
| A. U.S. Patent | 5,918,237 |
| B. U.S. Patent | 6,405,222 |
| C. U.S. Publication | 2003/0018746 |
| D. U.S. Patent | 5,963,945 |


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- E. U.S. Publication 2002/0099784
- F. U.S. Publication 2003/0097361
- G. U.S. Patent 6,654,785
- H. U.S. Patent 6,665,657
- I. U.S. Publication 2003/0135820
- J. U.S. Publication 2003/0016943
- K. U.S. Publication 2002/0032746
- L. U.S. Patent 6,535,912

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is 703-305-4894. The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Kuen S. Lu

Patent Examiner

June 10, 2004


JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100